

LgTom/G&H Partners v. Wextrust Notice of Motion to Extend Time to Answer 11-09-07

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
G & H PARTNERS AG,

Plaintiffs,

-against-

WEXTRUST CAPITAL, LLC; IDEX MINES AND
MINERALS, LLC; and IDEX MINING MANAGERS,
LLC,

Defendants.
-----X

Civil Action 07 Civ 9803(DC)

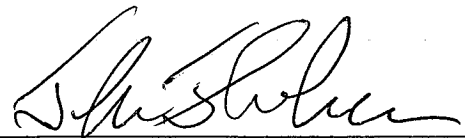
**NOTICE OF MOTION TO
EXTEND TIME TO ANSWER**

Please take notice that the undersigned attorneys for all Defendants shall apply to the Hon. Denise Cote, at the United States District Court for the Southern District of New York, 500 Pearl Street, Court Room 11B, for an order extending Defendants' time to answer or move with respect to the Plaintiff's complaint to November 29, 2007, inclusive of said date.

Plaintiff's counsel has indicated that Plaintiff will not interpose an objection to this request.

The original date Defendants' answer would have been due is five days after the notice of removal was filed, or November 12, 2007. There have been no other requests for extensions of time. The extension does not affect any other scheduled dates.

Dated: New York, New York
November 9, 2007



The Abramson Law Group, PLLC
Thomas F. Cohen (TFC 9045)
Attorneys for Defendants
570 Lexington Avenue, 23rd Floor
New York, New York 10022
(212) 686-4401

TO: Sullivan & Worcester, LLP
Attorneys for Plaintiff
1290 Avenue of the Americas, 29th Floor
New York, New York 10104
(212) 666-3000

Sullivan & Worcester, LLP
One Post Office Square
Boston, MA 02109
Attn: Barry S. Pollack

LgTom/G&H Partners v. Wextrust Certificate In Support of Motion 11-09-07

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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G & H PARTNERS AG,

Plaintiffs,

-against-

WEXTRUST CAPITAL, LLC; IDEX MINES AND
MINERALS, LLC; and IDEX MINING MANAGERS,
LLC,

Defendants.
-----X

Civil Action 07 Civ 9803(DC)

**CERTIFICATE IN
SUPPORT
OF MOTION**

THOMAS F. COHEN, an attorney at law duly admitted to practice before the bar of
this court, certifies as follows:

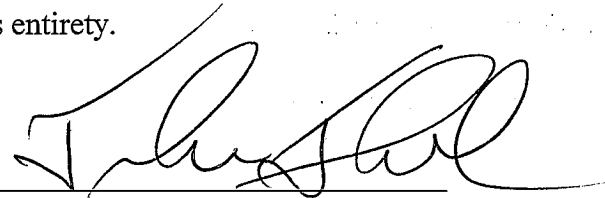
1. This action was originally commenced by the Plaintiff in the Supreme Court
of the State of New York by the filing of a summons and complaint on October 16, 2007. Defendants
were served on October 18, 2007.

2. On November 5, 2007, Defendant filed a notice of removal of the action
("Notice") to the United States District Court for the Southern District of New York. A copy of the
Notice is attached hereto.

3. Defendants therefore have five (5) days after filing of the Notice to answer
or otherwise move with respect to the complaint. Since the five (5) days falls on a Saturday
(November 10) Defendants' time to respond is therefore November 12. I have conferred with
Plaintiff's counsel and on November 8, 2007, Defendant's counsel indicated they have no objections
to this request.

4. As there has been no undue delay or prejudice to the Plaintiff, Defendants respectfully submit that the application should be granted in its entirety.

Dated: New York, New York
November 9, 2007


Thomas F. Cohen

Affidavit of Service re G&H Partners 11-14-07

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X Civil Action 07 Civ 9803 (DC)

G & H PARTNERS AG,

Plaintiffs,

AFFIDAVIT OF SERVICE

-against-

WEXTRUST CAPITAL, LLC; IDEX MINES AND
MINERALS, LLC; and IDEX MINING MANAGERS,
LLC,

Defendants.

-----X

STATE OF NEW YORK)

)ss.:

COUNTY OF NEW YORK)

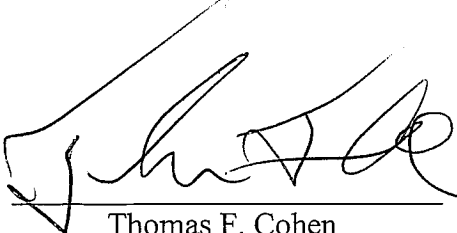
Thomas F. Cohen, being duly sworn, deposes and says:

1. That I am over eighteen years of age, and reside in New York County, New York.

2. That on November 15, 2007, I served a true copy of the within Notice of Motion To Extend Time To Answer, Certificate In Support Of Motion by depositing same in a properly addressed separate sealed envelope, with postage prepaid thereon in an official post office under the exclusive care and custody of the United States Postal Service with the County and State of New York upon the following as indicated below:

Sullivan & Worcester, LLP
Attorneys for Plaintiff
1290 Avenue of the Americas, 29th Floor
New York, New York 10104
(212) 666-3000

Sullivan & Worcester, LLP
One Post Office Square
Boston, MA 02109
Attn: Barry S. Pollack



Thomas F. Cohen

Sworn to before me this
15th day of November, 2007

Notary Public

THOMAS F. COHEN
NOTARY PUBLIC, State of New York
11-14-07
Commission Expires March 30, 2011